

REMARKS

In accordance with the foregoing, claims 12 and 15 are amended, and new claim 29 is presented. No new matter is being presented, and approval and entry of the amended and new claims are respectfully requested.

Claims 1, 3-8, 12, 14-16, and 23-29 are now pending and under consideration.

Reconsideration is respectfully requested.

ENTRY OF AMENDMENT UNDER 37 CFR §1.116

Applicant requests entry of this Rule 116 Response because it is believed that the amendment of claims 12 and 15 puts this application into condition for allowance and should not entail any further search by the Examiner since no new features are being added or no new issues are being raised.

Claims 12 and 15 are amended to clarify an information processing apparatus includes a directory structure "comprising a plurality of directories corresponding to the plurality of applications independently of whether a directory in the directory structure is a subordinate directory or a highest directory." Dependent claim 15 is amended to clarify "an item of the information of the application addresses is given to one of the highest directory of the directory structure, the most subordinate directly of the directory structure, or a master directory of the directory structure." (See for example, pages 14-19).

PAGE 5: ALLOWABLE SUBJECT MATTER

Claims 1, 3-8 and 23-25 are allowed.

Applicant appreciates the indications of allowable subject matter.

PAGES 3-5: REJECTION OF CLAIMS 12, 14-16 AND 26-28 UNDER 35 U.S.C. §103(a) AS BEING UNPATENTABLE OVER NAKASHIMA ET AL. (U.S.P. 5,661,800) IN VIEW OF COHEN-LEVY ET AL. (U.S.P. 5,423,034)

Claims 12, 14-16 and 26-28 are rejected under 35 U.S.C. §103(a) as being unpatentable over Nakashima in view of Cohen-Levy.

As provided in MPEP §2143.03 "To establish *prima facie* obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. *In re Royka*, 490 F. 2d 1981, (CCPA 1974)."

Independent claim 12, as amended, recites an information processing apparatus including "a directory structure, in the computer-readable storage, comprising a plurality of directories corresponding to the plurality of applications independently of whether a directory in

the directory structure is a subordinate directory or a highest directory, wherein, in the computer-readable storage, information of the application addresses are given directly to the directories of the directory structure, respectively, the application address information identifying the applications, respectively, where the applications are needed for corresponding data files, and where the data files are organized and stored in the computer-readable storage using the directories of the directory structure, wherein one of the plurality of applications is needed when one of the data files is selected."

Applicant submits that features recited by independent claim 12 are not taught by the cited art, alone or in combination.

For example, a "directory structure" is not taught by Nakashima's correspondence table 102, as the Examiner contends, or an *arguendo* combination with Cohen-Levy. Rather, Nakashima merely teaches:

correspondence between logical addresses and physical addresses, the latter being located on the original 1 (optical disk) and storing software data conforming to the logical addresses.

(See, for example, col. 6, lines 44-49).

Further, none of the cited art, alone or in combination teaches a corresponding to the plurality of applications occurs "independently of whether a directory in the directory structure is a subordinate directory or a highest directory."

The Examiner indicates that:

Cohen-Levy discloses (a) predetermined directory name (that) will identify those storage devices that contain information recognized by the real world hierarchical data structure and will determine which directories of those storage devices contain recognized information.

(Action at page 4).

Applicant respectfully points out that such teaching by Cohen-Levy teaches away from a corresponding to the plurality of applications "independently of whether a directory in the directory structure is a subordinate directory or a highest directory," by (see, for example, col. 12, starting at line 51) determining files by examining "the first directory level."

Further, dependent claims recite features, not taught by the cited art, alone or in combination. For example, dependent claim 15, as amended, teaches "an item of the information of the application addresses is given to one of the highest directory of the directory structure, the most subordinate directly of the directory structure, or a master directory of the directory structure." (Emphasis added).

In addition, Applicant submits there is no motivation or reasonable chance of success to

modify the art as the Examiner contends. As provided in MPEP §2144. 04:

(t)he mere fact that a worker in the art could rearrange the parts of the reference device . . . is not by itself sufficient to support a finding of obviousness. The prior art must provide a motivation . . . without the benefit of appellant's specification, to make the necessary changes in the reference device.

The Examiner contends a motivation for modification of Nakashima is "to provide the user with an interface to enable the user of the application program to communicate with the program." (Action at page 4). Applicants submit that such an *arguendo* motivation is contradictory to the purpose of Nakashima.

The purpose of Nakashima is to prevent "unauthorized use," while the Examiner's proposed modification increases access to the programs.

Summary

Since *prima facie* obviousness is not established, the rejection should be withdrawn and claims 12, 14-16 and 26-28 allowed.

NEW CLAIM

New claim 29 is presented to recite features presenting an aspect of the present invention in a different fashion.

Claim 29 recites an information processing apparatus "performing management so that when one of the data files is selected a needed application corresponding to the data file of a directory of the directories is automatically selected and executed by referring to the selected data file's directory to obtain its application's address information and therewith access and execute the application at the computer-readable storage location of the thus-obtained address information given to the directory, where the selection for execution is responsive to the data file of the directory being selected."

New claim 29 recites features of original claim 12 and additional features and limitations that the Examiner indicates is allowable subject matter. (Action at page 5) These, and other, features of claim 29 patentably distinguish over the cited art, and are submitted to be allowable for the recitations therein.

CONCLUSION

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

If there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

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If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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